

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MELINDA MARIE DESCHARM,

Defendant.

CR-14-55-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 26, 2021. (Doc. 164.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 24, 2021. (Doc. 159.) The United States accused Descharm of violating her conditions of supervised release 1) by committing another crime; and 2) by failing to make the required monthly restitution payments. (Doc. 156.)

At the revocation hearing, Descharm admitted to violating the conditions of his supervised release 1) by committing another crime; and 2) by failing to make the required monthly restitution payments. (Doc. 159.) Judge Johnston found that the violations Descharm admitted proved to be serious and warranted revocation, and recommended that Descharm receive a custodial sentence of 18 months, with no supervised release to follow. Judge Johnson also recommended that Descharm serve her custodial sentence at the Federal Correctional Institution in Dublin, California. (Doc. 164.) Descharm was advised of her right to appeal and her right to allocute before the undersigned. Descharm waived those rights. (Doc. 159.) The violations prove serious and warrant revocation of Descharm's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 164) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Melinda Marie Descharm be sentenced to the custody of the United States Bureau of Prisons for 18 months, with no supervised release to

follow. Melinda Marie Descharm should serve her term of custody at the Federal Correctional Institution in Dublin, California.

DATED this 30th day of March, 2021.



Brian Morris, Chief District Judge
United States District Court